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TO:

Box 1450

Commissioner for Patents

2900 Crystal Drive

Arlington, Virginia 22202-1450

FROM:

Forrest L. Collins

Attorney at Law

Post Office Box 41040 Brecksville, Ohio

44141-0040

TELEPHONE:

440-526-0610

FACSIMILE:

440-526-1819

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Serial No.:

10/047,362

Confirmation 5588

Applicant:

R. A. Lindner

TC A/U:

1713.

Filed:

14 January 2002

Title:

Polyvinylchloride Products

Examiner:

Mulcahy, Peter D.

Docket:

1021-01

Attached 8 page Amendment and 4 page Declaration.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Commissioner for Patents

2900 Crystal Drive

Arlington, Virginia 22202-1450

Declaration under 132 by Robert A Lindner

As set forth below, I declare the following:

- That my name is Robert A. Lindner and I am the declarant.
- That I am the named inventor of United States patent application
 10/047,362 confirmation 5588 filed 14 January 2002 (hereinafter referred to as the Patent Application).
- 3. That I prepared a series of polyvinylchloride formulations shown in the Patent Application.
- 4. That I was granted a Bachelor of Science degree from Bloomsburg University in 1961.
- That I have been employed in the capacity of making, using and evaluating lubricants for polyvinylchloride processing for more than thirty-five years.
- 6. That according to the records of the United States Patent and Trademark Office I am the named inventor on at least 15 United States patents all of which relate to the processing of materials such as polyvinylchloride.
- 7. That I have authored several technical articles in various trade publications that relate to the processing of polyvinylchloride.
- 8. That I have made presentations relating to the processing of materials such as polyvinylchloride at symposiums throughout the world including the United States of America, Australia, People's Republic of China, the Federal

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Republic of Germany, Belgium, India, Peru, Argentina, Colombia, Thailand, Mexico, Chili, Brazil, Costa Rica, France, the Netherlands, and Venezuela.

- 9. That I have consulted for manufacturers of rigid polyvinylchloride articles on the use of lubricants in polyvinylchloride processing throughout the world.
- 10. That I prepared and tested the five formulations shown in the attached TABLE I to obtain rigid polyvinylchloride articles.
- 11. That the five formulations shown TABLE I were prepared to obtain similar acceptable properties regarding fusion time, maximum torque, and equilibrium torque for the processing of polyvinylchloride into rigid polyvinylchloride articles.
- That polyvinylchloride siding is considered in the art to be a rigid polyvinylchloride article.
- 13. That the five formulations shown TABLE I were prepared to demonstrate that formulations 1, 2, and 3 had acceptable properties which were statistically significant in the preparation of polyvinylchloride siding.
- 14. That to be acceptable for use as polyvinylchloride siding the siding must be capable of resisting puncturing or cracking when struck by an object.
- 15. That polyvinylchloride sidings formulations 4 and 5 having an impact resistance of 247.1 ft-lb/inch and 215.8 ft-lb/inch respectively are too soft to function as a polyvinylchloride siding and are not acceptable in resisting puncturing or cracking when struck by an object.
- 16. That to be acceptable for use as unpainted polyvinylchloride siding the siding must have low gloss.
- That a polyvinylchloride siding formulation 4 and 5 having a % reflectance
 60° of 65 and 91 respectively are too reflective to use as polyvinylchloride siding as shown in Table I.
- 18. That the polyvinylchloride sidings of formulation 1, 2, and 3 have acceptable impact resistance to puncturing or cracking when struck by an object as shown in Table I.
- 19. That a polyvinylchloride siding formulations 1, 2, and 3 have acceptable gloss at a % reflectance @ 60° as shown in Table I and the polyvinylchloride siding is acceptable for use without painting.

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- 20. That the Delta E at 15,000 hours result is a test of weatherability for rigid polyvinylchloride.
- 21. That polyvinylchloride siding formulations 1, 2, and 3 have acceptable weatherability per the Delta E at 15,000 hours results shown in Table I.
- 22. That I have reviewed each of United States Patent 4,133,794 to Lamb; United States Patent 4,447,569 to Brecker et al.; United States Patent 3,793,274 Hiyama et al.; United States Patent 3,905,927 to Anderson; and United States Patent 4,670,490 to Yoshida et al., all of which are the references cited in the Official Action of 8 October 2003.
- 23. That none of the references cited in the Official Action of 8 October 2003 teach in any way, alone or in combination to obtain a rigid polyvinylchloride article having an impact resistance of 247.1 ft-lb/inch or less and having a % reflectance @ 60° of less than 65.
- 24. That further the declarant sayeth not.
- 25. I, Robert A. Lindner, hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under SECTION 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Robert A. Lindner 24 February 2004

Pobert a Lindre

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•	Table I					
Polyvinylchloride	1 100	2 100	3 100	4 100	5 100	
Acryloid KM 334						
Impact modifier* CaCO ₃ (Superflex 200)	5 5	5 5	5 5	5 5	5 5	
TiO ₂ (Titanox 2101)	10	10	10	10	10	
Process aid Acryloid K120N	0	0	0	0	1.5	
Stabilizer (Advastab TM 181)	1.2	1.2	1.2	1.2	1.2	
Calcium stearate	1.0	1.0	1.0	1.0	1.0	
Organic acid 45 carbon atoms	0.45	0.45	0.45	0.45	0	
Paraffin (XL 165)				1.0	1.0	
Ethylene glycol distearate	0.725	0	0	0	0	
Hydrogenated tallow	0.725	0	0	0	0	
Stearyl stearate	0	1.55	0	0	0	
Distearyl phthalate	0	0	1.55	0	0	
Impact, ft-lb/inch *	302.7	295	265.6	247.1	215.8	
Gloss**	45	42	49	65	91	
Delta E at 15,000 hours	5.2	6.1	5.5	6.7	6.6	
* Impact measured by falling dart test		**Gloss is % reflectance @ 60°				